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8 Attorneys for Defendant  
PAUL RYAN ASSOCIATES, a California corporation  
9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION  
12

13 TRAVELERS PROPERTY CASUALTY	)	Case No.: 3:18-cv-00038 EMC
14 COMPANY OF AMERICA, a Connecticut	)	
15 corporation,	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER TO CONTINUE INITIAL</b>
16 Plaintiff,	)	<b>CASE MANAGEMENT CONFERENCE</b>
	)	
17 vs.	)	Complaint Filed: 1/3/18
	)	
18 PAUL RYAN ASSOCIATES, a California	)	
19 corporation; and DOES 1 through 50,	)	
inclusive,	)	
	)	
20 Defendants.	)	
	)	

21  
22 Plaintiff TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, a  
23 Connecticut corporation (“Travelers”) and Defendant PAUL RYAN ASSOCIATES, a California  
24 corporation (“Ryan Associates”) by and through their respective attorneys of record hereby  
25 stipulate to a continuance of the Initial Case Management Conference in this matter scheduled for  
26 April 5, 2018 in Courtroom 5, 17th Floor, San Francisco, California to April 26, 2018, at 9:30  
27 a.m., for the sole, express purpose of allowing counsel for Ryan Associates to participate in a  
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1 mediation in the underlying San Francisco Superior Court action, *Paul Ryan Associates v. 44*  
2 *Normandie, LLC et al.* (Case No. CGC-09-486995) (the “Underlying Action”).

3 1. Due to prior commitments, the mediator only has April 5, 2018 available to conduct  
4 the mediation before the commencement of the Phase II jury trial in the Underlying Action.

5 2. The April 5, 2018 mediation in the Underlying Action presents a schedule conflict  
6 for Ryan Associates’ counsel. Traveler’s counsel of record is available to attend the April 5, 2018  
7 Initial Case Management Conference in this action.

8 3. The scheduled April 5, 2018 mediation likely presents the last, best opportunity to  
9 settle the Underlying Action (and possibly resolve the issues in this action) before the  
10 commencement of the Phase II jury trial.

11 4. Many of the parties’ insurance representatives set to attend the proposed April 5,  
12 2018 mediation will travel to San Francisco from out of state.

13 5. A settlement by any of the remaining seven subcontractors in the Underlying  
14 Action may impact the dispute between Travelers and Ryan Associates in this action.

15 6. Travelers and Ryan Associates agree that a continuance of the Initial Case  
16 Management Conference would facilitate possible settlement and resolution of some or all of the  
17 Underlying Action, and perhaps resolve the issues in this action.

18 7. Travelers and Ryan Associates further agree that they will suffer no prejudice if the  
19 Initial Case Management Conference is continued. However, Ryan Associates will suffer  
20 prejudice if the continuance is denied because a critical opportunity to settle the Underlying Action  
21 will be missed.

22 8. If counsel for Ryan Associates must forego the mediation proceedings in the  
23 Underlying Action to attend the Case Management Conference, the mediation will likely be  
24 cancelled.

25 9. Accordingly, Travelers and Ryan Associates agree and request that the April 5,  
26 2018 Initial Case Management Conference be continued to April 26, 2018, with Travelers and  
27 Ryan Associates to complete their Initial Disclosures and file their Case Management Statement  
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1 and FRCP Rule 26(f) Report at least one week prior to the continued Initial Case Management  
2 Conference date.

3 10. If the proposed April 26, 2018 date is inconvenient or unacceptable for any reason,  
4 Travelers and Ryan Associates request that the Court set a different date for the Initial Case  
5 Management Conference.

6  
7 Dated: March 23, 2018

THE AGUILERA LAW GROUP, APLC

8 By: /s/ Jason Y. Chao

9 A. ERIC AGUILERA

JASON Y. CHAO

10 KELSEY D. LEAL

Attorneys for Plaintiff

11 TRAVELERS PROPERTY

CASUALTY COMPANY OF AMERICA,

12 a Connecticut corporation

13  
14 Dated: March 23, 2018

BOORNAZIAN, JENSEN & GARTHE

15 By: /s/ Jeffery A. Chadic

16 ROBERT B. LUECK

JEFFERY A. CHADIC

17 JAMES B. DE LOS REYES

MICHAEL E. YAKUMITHIS

18 Attorneys for Defendant

PAUL RYAN ASSOCIATES,

19 a California corporation

1 **ORDER**

2 The Court, having reviewed the Stipulation to Continue Initial Case Management  
3 Conference of Travelers and Ryan Associates and finding good cause, hereby issues an Order to:

4 1. Continue the Initial Case Management Conference from April 5, 2018 at 9:30 a.m.  
5 in Courtroom 5, 17th Floor, San Francisco, to April 26, 2018, at 9:30 a.m., with Travelers and  
6 Ryan Associates to complete their Initial Disclosures and file their Case Management Statement  
7 and FRCP Rule 26(f) Report at least one week prior to the continued Initial Case Management  
8 Conference date.

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10  
11 Dated: 3/27/2018

